

SENATE BILL 1836

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 50,
relative to the "Tennessee Pay Equality
Transparency Act."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Tennessee Pay Equality
Transparency Act."

SECTION 2. Tennessee Code Annotated, Title 50, Chapter 2, Part 1, is amended by
adding the following as a new section:

(a) An employer shall not:

(1) Prohibit an employee of the employer from disclosing or discussing
the employee's wages or the wages of another employee of the employer;

(2) Prohibit an employee from inquiring about the employee's wages or
the wages of another employee of the employer;

(3) Require an employee of the employer to sign a waiver or document
that denies the employee of the employee's right to disclose or discuss the
employee's wages or the wages of another employee of the employer;

(4) Require an employee to sign a waiver or other similar document that
denies the employee of the employee's right to inquire about the employee's
wages or the wages of another employee of the employer;

(5) Discharge, discipline, discriminate against, retaliate against, or
otherwise penalize an employee of the employer who discloses or discusses the
employee's wages or the wages of another employee of the employer; or

(6) Discharge, discipline, discriminate against, retaliate against, or otherwise penalize any employee of the employer who inquires about the employee's wages or the wages of another employee of the employer.

(b) Nothing in this section requires an employer or employee to disclose the amount of wages paid to an employee.

(c)

(1) An action to redress a violation of subsection (a) may be maintained in any court of competent jurisdiction by one (1) or more employees. An employer who violates subsection (a) may be found liable for compensatory damages, attorney's fees and costs, punitive damages, and other legal and equitable relief as the court deems just and proper.

(2) In addition to the damages and relief imposed pursuant to subdivision (c)(1), an employer who terminates an employee in violation of this section is subject to injunctive and other appropriate relief, including, but not limited to, the rehiring or reinstatement of the employee to the employee's former position with back pay.

(d) No action shall be brought for a violation of subsection (a) except within two (2) years after the violation.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to prohibited conduct occurring on or after the effective date of this act.